



STATE OF ARKANSAS
**Department of Finance
and Administration**

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August 18, 2003

Dennis Bonge
136 Limoges
Maumelle, AR 72113-6765

Re: Advisory Opinion #483-03-18

Dear Mr. Bonge:

This letter is in response to your request for an advisory opinion in accordance with §19-11-715(b) of the Arkansas Code Annotated of 1987. Your request for an advisory opinion is based on the following facts:

- a) You are an employee of Division of Developmental Disabilities Services of the Department of Human Services.
- b) Your wife, Edith Bonge, contracts for nutritional consulting services with the Alexander Human Development Center in the amount of \$21,000 per year.
- c) You are not involved in procurement, nor were you involved in her obtaining the contract.
- d) You are requesting an advisory opinion to determine whether there is a conflict.

As long as you, in your position at DHS, are not directing contracts or business toward your wife or become involved in the procurement process, there is no conflict. However, the requirement to report all contracts as well as filing EO 98-04 disclosure forms under certain circumstances remains.

If your wife receives a benefit from the contracts, the report required by Ark. Code Ann. § 19-11-706 of benefits received shall be made by the state employee within 30 days after you have actual or constructive notice that a benefit has been or will be received. Such disclosure shall be made to the Director of Finance and Administration within 30 days after she has actual or constructive notice of a benefit received or to be received. Such disclosure shall be made in a written report, which sets forth:

- A. The name of the individual involved;
- B. The name of the governmental body with which the company has a contract;
- C. The dollar amount and nature of the contract; and
- D. The nature and extent of the benefit received or to be received.

This advisory opinion is issued in accordance with Arkansas Code Annotated §19-11-715(b) and (c) and compliance with the above course of conduct is deemed to constitute compliance with the ethical standards of the Act and Governor's Executive Order #98-04.

Sincerely,

Richard A. Weiss
Director

cc: Joe Giddis
Tom Gay, Ofc. of Atty. Gen.